

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP-28186-2018

Date of decision: 01.11.2018

Sandeep

...Petitioner

V/s.

State of Haryana and others

...Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI.

Present : Mr. Chanderhas Yadav, Advocate for the petitioner.

RITU BAHRI, J. (Oral).

The petitioner has participated in the selection process for the post of Junior Coach Athletics as per the advertisement dated 01.12.2015 (Annexure P-3) and the final result has been declared on 07.08.2018 (Annexure P-9). The petitioner has applied under the EBPB category and his name is reflected in the waiting list. There were 3 posts under the said category and he is challenging the appointment of respondent No. 3. The ground for challenge is that he belongs to SBC category and as per the notification dated 27.09.2013 (Annexure P-2) he cannot take the benefit under the EBPB category as per clause 5 of this notification, which reads as under:-

“The person who claims benefit of reservation under other categories (Scheduled Castes/Backward Classes/Special Backward Classes) shall not be entitled to reservation in this category.”

The case made by the petitioner is that respondent No. 3 belongs to Special Backward Class category and could not take the benefit under the above said category. A perusal of the Rule 5 shows that a person cannot take the benefit of both the reservation categories. In the present case, respondent No. 3 has taken a benefit of EBPB category as per his certificate (Annexure P-10) which

has been issued to him on 23.12.2015 and it is not the case of the petitioner that he has taken the benefit of SBC category as well. Since respondent No. 3 has taken benefit of only EBPG category, there is no ground to interfere in the result dated 07.08.2018 (Annexure P-9).

Writ petition is dismissed.

01.11.2018

Divyanshi

(RITU BAHRI)
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No